

Amendment No. _____

Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2279

House Bill No. 1652*

by adding the following as new subsections in § 47-18-133 in SECTION 1:

(e) This section does not apply to the following:

(1) A state or national bank or trust company insured by the federal deposit insurance corporation or an operating subsidiary of that bank or trust company;

(2) A state or federal credit union insured by the national credit union administration;

(3) An individual or entity licensed by the department of financial institutions;

(4) A service provided by a business, or its affiliate, pursuant to:

(A) A franchise issued by a political subdivision of this state; or

(B) A license, franchise, certificate, or other authorization issued by the Tennessee public utility commission;

(5) An individual or business, or an affiliate of the individual or business, regulated by the Tennessee public utilities commission, the federal communications commission, or the federal energy regulatory commission; or

(6) A business licensed under title 56.

(f) As used in this section, "consumer" means an individual who acquires goods or services for personal, family, or household purposes.



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Amendment No. _____

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AMEND Senate Bill No. 602*

House Bill No. 905

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Title 68, Chapter 120, Part 2, is amended by adding the following as a new section:

(a) Each welcome center operated by the department of tourist development, and each safety rest area, as defined in § 54-21-102, that provides restrooms for use by the public, shall contain and provide access to not less than one (1) powered, height-adjustable, adult-sized changing table, installed per the manufacturer's recommendations, in a single occupancy restroom that is universal to gender and available to the public.

(b) The location of the single occupancy restroom described in subsection (a) must be conspicuously displayed at the entrance of the building or structure or place of recreation where the restroom is located.

(c) Any necessary renovations to bring these facilities into compliance must be completed by January 1, 2025.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 120, Part 2, is amended by adding the following as a new section:

(a) The department of intellectual and developmental disabilities shall establish a grant program to support the installation of powered, height-adjustable, adult-sized changing tables in single occupancy family restrooms in privately and municipally owned buildings open to the public across this state.



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(b) The department shall award grants not to exceed five hundred thousand dollars (\$500,000) per award, subject to the availability of funds in the general appropriations act.

(c) The department shall allocate all grant awards no later than July 1 of the calendar year following the appropriation of funds. The department shall publish on its public website a report no later than November 1 of each year in which a grant award is allocated under this section that contains the following information:

- (1) The number of grants awarded;
- (2) The number of grant applications received;
- (3) The number of grants awarded in each grand division; and
- (4) The number of grants denied because of a lack of funding.

(d) In awarding grants, the department shall prioritize geographical diversity among the grand divisions of this state and higher traffic facilities.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.

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AMEND Senate Bill No. 2042*

House Bill No. 2078

by deleting all language after the enacting clause and substituting:

SECTION 1. This act is known and may be cited as the "Tennessee Integrated and Meaningful Employment Act."

SECTION 2. Tennessee Code Annotated, Title 50, Chapter 2, Part 1, is amended by adding the following as a new section:

(a) An employer shall pay an employee no less than the federal minimum wage under 29 U.S.C. § 206, regardless of the subminimum wage authorized pursuant to 29 U.S.C. § 214(c).

(b) As used in this section:

(1) "Employee" means a person born or naturalized in the United States and subject to the jurisdiction thereof, or a person legally present in this country, either of whom is employed by an employer; and

(2) "Employer" includes an individual, partnership, association, corporation, business trust, legal representative, or organized group of persons, not involved in interstate commerce, acting directly or indirectly in the interest of an employer in relation to an employee.

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it.



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AMEND Senate Bill No. 2386*

House Bill No. 2855

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 56-7-2355(a)(1), is amended by deleting the subdivision and substituting:

(1) "Emergency medical condition" means a medical condition that manifests itself by symptoms of sufficient severity, including severe pain, regardless of the final diagnosis of the symptoms, that a prudent layperson, who possesses an average knowledge of health and medicine, could reasonably expect the absence of immediate medical attention to potentially result in:

- (A) Placing the person's health in serious jeopardy;
- (B) Serious impairment to bodily functions; or
- (C) Serious dysfunction of a bodily organ or part;

SECTION 2. Tennessee Code Annotated, Section 56-7-2355(b)(1), is amended by deleting the subdivision and substituting:

(1) A health benefit plan shall not deny coverage or payment for emergency services if the symptoms presented by an enrollee of a health benefit plan and recorded by the attending provider indicate that an emergency medical condition could exist, regardless of:

- (A) The final diagnosis of the symptoms;
- (B) Whether prior authorization was obtained to provide those services;

and



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(C) Whether the provider furnishing the services has a contractual agreement with the health benefit plan for the provision of the services to the enrollee.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it, and applies to plans delivered, issued, entered into, renewed, or amended on or after that date.

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AMEND Senate Bill No. 2259

House Bill No. 2262*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 56-4-211, is amended by designating the existing language as subsection (a) and adding the following as a new subsection:

(b) An insurance company that is subject to the medical loss ratio requirements as set forth in The Patient Protection and Affordable Care Act of 2010 (42 U.S.C. § 18011 et seq.) is entitled to a credit against premium taxes collected on policies of insurance subject to the medical loss ratio requirements of one quarter of one percent (0.25%) of premiums received by the company in the year for which the premiums are collected. This subsection (b) does not apply to an entity subject to § 56-32-124.

SECTION 2. This act takes effect January 1, 2023, the public welfare requiring it.



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AMEND Senate Bill No. 2844

House Bill No. 2351*

by deleting all language after the enacting clause and substituting:

SECTION 1. This act is known and may be cited as the "Pharmacy Services
Administrative Organization Transparency Act."

SECTION 2. Tennessee Code Annotated, Title 56, Chapter 7, Part 32, is amended by
adding the following as a new section:

(a) As used in this section:

- (1) "Pharmacist" has the same meaning as defined in § 63-10-204;
- (2) "Pharmacy" has the same meaning as defined in § 63-10-204;
- (3) "Pharmacy services administrative organization" or "PSAO" means a
pharmacy services administrative organization as defined in § 56-7-3102; and
- (4) "PSAO-pharmacy contract" means a contractual agreement between
a pharmacy services administrative organization and a pharmacy operating in
this state, in which a pharmacy services administrative organization agrees to
contract or negotiate with a covered entity on behalf of the pharmacy.

(b) A person or entity shall not operate as a pharmacy services administrative
organization in this state unless the person or entity has obtained licensure through the
department of commerce and insurance.

(c) To obtain licensure as a pharmacy services administrative organization, the
person or entity shall comply with the same requirements and fees as required for
pharmacy benefits manager licensure under § 56-7-3113.



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(d) Failure to obtain licensure or renew a license pursuant to this section while operating as a pharmacy services administrative organization in this state constitutes a violation subject to the same penalties authorized by § 56-7-3113.

(e) In addition to subsection (c), a pharmacy services administrative organization shall, as a condition of licensure:

(1) Disclose to the department of commerce and insurance the extent of any ownership or control of the pharmacy services administrative organization by a parent company, subsidiary, or other organization that manufactures, sells, or distributes prescription drugs, biologicals, or medical devices; and

(2) Notify the department of commerce and insurance within thirty (30) days of a change in circumstances subject to disclosure under subdivision (e)(1).

(f) A PSAO-pharmacy contract in this state must include a provision that requires the pharmacy services administrative organization to provide to the pharmacy a copy of any contract, amendments, payment schedules, or reimbursement rates within five (5) business days after the execution of a contract, or an amendment to a contract, executed by a pharmacy services administrative organization on behalf of the pharmacy.

(g) A pharmacy services administrative organization that owns or is owned by, in whole or in part, an entity that manufactures, sells, or distributes prescription drugs, biologicals, or medical devices shall not, as a condition of a PSAO-pharmacy contract, require that the pharmacy exclusively purchase drugs or medical devices from an entity in which the pharmacy services administrative organization has an ownership interest.

(h) A pharmacy services administrative organization shall disclose to the department of commerce and insurance a PSAO-pharmacy contract executed or renewed after the effective date of this act that provides for the purchase of prescription drugs, biologicals, or medical devices by the pharmacy from an entity that owns or is owned by, in whole or in part, the pharmacy services administrative organization.

(i) Prior to entering into a PSAO-pharmacy contract, a pharmacy services administrative organization shall furnish to the pharmacy a written disclosure of any ownership or control of an entity that manufactures, sells, or distributes prescription drugs, biologicals, or medical devices in order to assist the pharmacy in making an informed decision regarding its relationship with the pharmacy services administrative organization and its suppliers.

(j) A PSAO-pharmacy contract must require the pharmacy services administrative organization to notify the pharmacy in writing within fifteen (15) calendar days of a material change in its ownership or control related to a company, subsidiary, or other organization described in subsection (i).

(k) Unless otherwise provided, the commissioner of commerce and insurance may utilize any administrative action or penalty authorized under this part relative to pharmacy benefits managers, that is, in the commissioner's discretion, necessary to enforce this section.

SECTION 3. This act takes effect July 1, 2022, the public welfare requiring it.

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AMEND Senate Bill No. 2443*

House Bill No. 2632

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 65-4-104, is amended by adding the following as a new subsection:

Notwithstanding § 65-4-101(6)(A)(vi), the commission may upon petition designate a provider or reseller of domestic public cellular radio telephone service as an eligible telecommunications carrier pursuant to 47 C.F.R. § 54.201 for purposes of providing Lifeline service.

SECTION 2. The public utilities commission is authorized to promulgate rules to effectuate the purposes of this act. The rules must be promulgated in accordance with the Uniform Administrative Procedures Act, compiled in Tennessee Code Annotated, Title 4, Chapter 5.

SECTION 3. This act takes effect upon becoming a law, the public welfare requiring it.



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AMEND Senate Bill No. 2480

House Bill No. 2608*

by deleting all language after the enacting clause and substituting:

SECTION 1.

(a) This act is known and may be cited as the "Tennessee Broadband Investment Maximization Act of 2022."

(b) It is the intent of the general assembly to maximize the impact of the historic public and private sector investments in broadband anticipated to be made in this state during the next five (5) years.

SECTION 2. Tennessee Code Annotated, Title 67, Chapter 6, Part 3, is amended by adding the following as a new section:

67-6-350. Tennessee broadband equipment and services moratorium.

(a) Beginning January 1, 2023, through December 31, 2028, there is exempt from the sales and use tax imposed by this chapter purchases and leases of all equipment, machinery, software, ancillary components, appurtenances, accessories, or other infrastructure that is used in whole or in part to:

(1) Produce broadband communications services, including broadcasting, distributing, sending, receiving, storing, transmitting, retransmitting, amplifying, switching, providing connectivity for, or routing communications services; or

(2) Provide internet access.

(b) As used in this section:

(1) "Broadband communications services" means:



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- (A) Telecommunications services;
- (B) Mobile telecommunications services;
- (C) Video programming services; and
- (D) Direct-to-home satellite television programming services;

(2) "Equipment" includes, but is not limited to, wires, cables, fiber, conduits, antennas, poles, switches, routers, amplifiers, rectifiers, repeaters, receivers, multiplexers, duplexers, transmitters, circuit cards, insulating and protective materials and cases, power equipment, backup power equipment, diagnostic equipment, storage devices, modems, and other general central office or headend equipment, such as channel cards, frames, and cabinets, or equipment used in successor technologies, including items used to monitor, test, maintain, enable, or facilitate qualifying equipment, machinery, software, ancillary components, appurtenances, accessories, or other infrastructure that is used in whole or in part to provide broadband communication services or internet access; and

(3) "Internet access":

(A) Means a service that enables users to connect to the internet to access content, information, or other services offered over the internet;

(B) Includes:

(i) The purchase, use, or sale of telecommunications by a provider of internet access to the extent the telecommunications are purchased, used, or sold to:

(a) Provide the internet access service; or

(b) Otherwise enable users to access content, information, or other services offered over the internet;

(ii) Services that are incidental to the provision of internet access when furnished to users as part of the internet access

service, such as a home page, email and instant messaging, to include voice- and video-capable email and instant messaging, video clips, and personal electronic storage capacity; and

(iii) A homepage, email and instant messaging, to include voice- and video-capable email and instant messaging, video clips, and personal electronic storage capacity, that are provided independently or packaged with internet access; and

(C) Does not include voice, audio, or video programming, or other products and services that utilize internet protocol or a successor protocol and for which there is a charge, regardless of whether the charge is separately stated or aggregated with the charge for services for internet access.

SECTION 3. The heading in this act is for reference purposes only and does not constitute a part of the law enacted by this act. However, the Tennessee Code Commission is requested to include the heading in any compilation or publication containing this act.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

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Comm. Amdt. _____

AMEND Senate Bill No. 1832

House Bill No. 1664*

by deleting all language after the enacting clause and substituting:

SECTION 1. Tennessee Code Annotated, Section 47-18-104(b)(8), is amended by deleting the subdivision and substituting:

(8) Disparaging the goods, services, or business of another by false or misleading representations of fact, including, but not limited to, posting a review on the internet about a business that is factually false;

SECTION 2. Tennessee Code Annotated, Section 47-18-109(a)(3) and (4), are amended by deleting the subdivisions and substituting:

(3)

(A) Except as provided in subdivision (a)(3)(B), if the court finds that the use or employment of the unfair or deceptive act or practice was a willful or knowing violation of this part, then the court may award three (3) times the actual damages sustained and may provide other relief as the court considers necessary and proper; provided, the court shall not award exemplary or punitive damages for the same unfair or deceptive practice.

(B) If the court finds that the use or employment of the unfair or deceptive act or practice described in § 47-18-104(b)(8) was a willful or knowing violation, then the court shall award three (3) times the actual damages sustained and may provide other relief as the court considers necessary and proper; provided, the court shall not award exemplary or punitive damages for the same unfair or deceptive practice.



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(4) In determining whether treble damages should be awarded pursuant to subdivision (a)(3)(A), the trial court may consider, among other things:

(A) The competence of the consumer or other person;

(B) The nature of the deception or coercion practiced upon the consumer or other person;

(C) The damage to the consumer or other person; and

(D) The good faith of the person found to have violated this part.

SECTION 3. Tennessee Code Annotated, Section 47-18-109(e)(1), is amended by deleting the subdivision and substituting:

(A) Except as provided in subdivision (e)(1)(B), if a court finds that this part has been violated, then the court may award to the person bringing the action reasonable attorney's fees and costs.

(B) If a court finds that § 47-18-104(b)(8) has been violated, then the court shall award to the person bringing the action reasonable attorney's fees and costs.

SECTION 4. This act takes effect upon becoming a law, the public welfare requiring it.

Amendment No. _____

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Comm. Amdt. _____

AMEND Senate Bill No. 2771

House Bill No. 2544*

by deleting subsection (b) in SECTION 1 and substituting:

(b) A health benefit plan that provides coverage for imaging services for screening mammography must provide coverage to a patient for low-dose mammography according to the following guidelines:

(1) A baseline mammogram for a woman thirty-five (35) to forty (40) years of age;

(2) A yearly mammogram for a woman thirty-five (35) to forty (40) years of age if the woman is at high risk based upon personal family medical history, dense breast tissue, or additional factors that may increase the individual's risk of breast cancer; and

(3) A yearly mammogram for a woman forty (40) years of age or older based on the recommendation of the woman's physician licensed under title 63, chapters 6 or 9.



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